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## CHAPTER II

### TRANSMITTAL LETTER TO THE UNITED STATES ELECTED OFFICE (EO/US)

(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

PCT/GB99/03785

INTERNATIONAL APPLICATION NO.

12 November 1999 (12.11.99)

INTERNATIONAL FILING DATE

14 November 1998 (14.11.98)

PRIORITY DATE CLAIMED

ACTUATOR APPARATUS

TITLE OF INVENTION

David COLEY (West Midlands, United Kingdom)

APPLICANT(S)

**Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231**

**Attention: EO/US**

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 USC 371:
  - A. ☒ This express request to immediately begin national examination procedures (35 USC 371(f)).
  - B. ☒ The U.S. National Fee (35 USC 371(c)(1) and other fees (37 CFR 1.492) indicated in the attached fee calculation sheet.

2. ☒ A copy of the International application as filed [35 USC 371(c)(2)]:
- ☐ is transmitted herewith.
  - ☐ is not required as the application was filed with the United States Receiving Office.
  - ☒ has been transmitted
    - ☒ by the International Bureau. Date of mailing of the application (from form PCT/IB/308): 25 May 2000 (25.05.00).
    - ☐ by applicant on (date) \_\_\_\_\_.
3. ☒ A translation of the International application into the English language [35 USC 371(c)(2)]:
- ☐ is transmitted herewith.
  - ☒ is not required as the application was filed in English.
  - ☐ was previously transmitted by applicant on (date) \_\_\_\_\_.
  - ☐ will follow (within 32 months of earliest priority date).
4. ☒ Amendments to the claims of the International application under PCT Article 19 [35 USC 371(c)(3)]:
- ☐ are transmitted herewith.
  - ☐ have been transmitted
    - ☐ by the International Bureau. Date of mailing of the amendment (from form PCT/IB/308): \_\_\_\_\_.
    - ☐ by applicant on (date) \_\_\_\_\_.
  - ☒ have not been transmitted as
    - ☒ applicant chose not to make amendments under PCT Article 19. Date of mailing of Search Report (from form PCT/ISA/210): 22 February 2000 (22.02.00).
    - ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

5. ☒ A translation of the amendments to the claims under PCT Article 19 [35 USC 371(c)(3)]:
  - a. ☐ is transmitted herewith.
  - b. ☐ is not required as the amendments were made in the English language.
  - c. ☒ has not been transmitted for reasons indicated at point 4c above.
6. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409)
  - a. ☒ is transmitted herewith.
  - b. ☐ is not required as the application was filed with the United States Receiving Office.
7. ☒ Annex(es) to the International Preliminary Examination Report
  - a. ☒ is/are transmitted herewith.
  - b. ☐ is/are not required as the application was filed with the United States Receiving Office.
  - c. ☐ is/are not being transmitted as there is/are no Annex(es).
8. ☒ A translation of the annexes to the International Preliminary Examination Report
  - a. ☐ is transmitted herewith.
  - b. ☒ is not required as the annexes are in the English language.
  - c. ☐ is not being transmitted for the reason indicated at point 7c above.
9. ☒ An oath or declaration of the inventor [35 USC 371(c)(4)] complying with 35 USC 115
  - a. ☐ was previously submitted by applicant on (date) \_\_\_\_\_.
  - b. ☐ is submitted herewith and such oath or declaration
    - i. ☐ is attached to the application

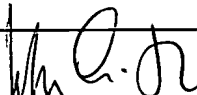
- ii. ☐ identifies the application and any amendments under PCT Article 19 which were transmitted as stated in points 4a or b; and states that they were reviewed by the inventor as required by 37 CFR 1.70.
- c. ☒ will be provided in response to a Notice to File Missing Requirements.
10. ☒ An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a):
- a. ☐ is transmitted herewith.
- b. ☒ has been transmitted by the International Bureau. Date of mailing (from form PCT/IB/308): 25 May 2000 (25.05.00).
- c. ☐ is not required as the application was searched by the United States International Searching Authority.
- d. ☐ will be transmitted promptly upon request.
- e. ☐ has been submitted by applicant on (date) \_\_\_\_\_.
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98:
- a. ☐ is transmitted herewith.
- Also transmitted herewith is
- ☐ Form PTO-1449
- ☐ Copies of citations listed
- b. ☐ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 USC 371(c).
- c. ☐ was previously submitted by applicant on (date) \_\_\_\_\_.
12. ☐ The applicant claims small entity status with respect to this application.
- ☐ A Verified Statement Claiming Small Entity Status is attached.
- ☐ The undersigned claims small entity status on behalf of the applicant.

13. ☐ An assignment document is transmitted herewith for recording. A separate ☐ "RECORDATION COVER SHEET" is also attached.

14. ☒ Additional documents
- a. ☐ Copy of request (PCT/RO/101)
  - b. ☒ International Publication No. WO 00/29678
    - i. ☐ Specification, claims and drawing
    - ii. ☒ Front page only
  - c. ☒ Preliminary amendment
  - d. ☒ Abstract
  - e. ☐ Other

15. ☒ The above checked items are being transmitted
- a. ☒ before 30 months from any claimed priority date.
  - b. ☐ after 30 months but before 32 months (surcharge and/or processing fee included) from any claimed priority date.

16. ☐ Certain requirements under 35 USC 371 were previously submitted by the applicant on \_\_\_\_\_, namely:

  
 John Smith-Hill  
 Reg. No. 27,730

SMITH-HILL & BEDELL, P.C.  
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# FEE CALCULATION SHEET

## Entry into National Phase of PCT/GB99/03785

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
[x]	TOTAL CLAIMS 25	-20 =	5	x \$ 18 =	\$ 90
	INDEPENDENT CLAIMS 1	- 3 =	0	x \$ 80 =	\$ 0
	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270 =	\$ 0
BASIC FEE	<input type="checkbox"/> U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where an international preliminary examination fee as set forth in § 1.482 has been paid on the international application to the U.S. PTO:  <input type="checkbox"/> and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(1) to (4) have been satisfied for all the claims presented in the application entering the national state (37 CFR 1.492(a)(4)) \$100  <input type="checkbox"/> and the above requirements are not met (37 CFR 1.492(a)(1)) \$690  <input checked="" type="checkbox"/> U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where no international preliminary examination fee as set forth in § 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in § 1.445(a)(2) to the U.S. PTO:  <input type="checkbox"/> has been paid (37 CFR 1.492(a)(2)) \$710  <input type="checkbox"/> has not been paid (37 CFR 1.492(a)(3)) \$1,000  <input checked="" type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 CFR 1.492(a)(5)) \$860				860
OTHER FEES	Surcharge of \$130 for furnishing the oath or declaration later than 30 months (but no later than 32 months) from any claimed priority date (37 CFR 1.492(e) and 37 CFR 1.495(c)).				+
	Total of above Calculations				= 950
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (note 37 CFR 1.9, 1.27, 1.28)				-
	Subtotal				950
	Processing fee of \$130 for furnishing the English Translation later than 30 months (but not later than 32 months) from any claimed priority date (37 CFR 1.492(f) and 37 CFR 1.495(c)).				+
	Total National Fee				\$ 950
	Fee for recording the enclosed assignment document \$40 (37 CFR 1.21(h)).				+
TOTAL	TOTAL FEES ENCLOSED				\$ 950

See attached Preliminary Amendment.

[x] A check in the amount of \$950 to cover the above fees is enclosed.

[x] Please charge any additional basic filing fees under 37 CFR 1.492(a) which may be required by this paper, or credit any overpayment to Deposit Account No. 19-2560. This sheet is filed in duplicate.

*Penelope Stockwell*  
 Penelope Stockwell